

IN RE: ANA C COLON VINALES

Bkrtcy. No. 10-02130-BKT

Chapter 13

STANDING CHAPTER 13 TRUSTEE §341 MEETING MINUTES
AND REPORT ON CONFIRMATION

Petition Filing Date: <u>Mar 19, 2010</u>	Meeting Date: <u>Aug 18, 2010</u>	DC Track No. <u>9-10</u>						
Days from petition date: <u>152</u>	Meeting Time: <u>9:00 AM</u>							
910 Days before Petition: <u>9/21/2007</u>	<input type="checkbox"/> Chapter 13 Plan Date: <u>Mar 19, 2010 Dkt.# 2</u>	<input type="checkbox"/> Amended.						
This is debtor(s) <u>2nd</u> Bankruptcy petition.	Plan Base: <u>\$18,000.00</u>							
This is the <u>2nd</u> Scheduled Meeting	Confirmation Hearing Date: <u>Sep 09, 2010</u>	Time: <u>9:00 AM</u>						
Payment(s) <input type="checkbox"/> Received or <input type="checkbox"/> Evidence shown at meeting:	<table border="1"> <thead> <tr> <th>CK/MO No.</th> <th>Date</th> <th>Amount</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> </tr> </tbody> </table>	CK/MO No.	Date	Amount				Total Paid In: <u>\$600.00</u>
CK/MO No.	Date	Amount						

I. Appearances: <input type="checkbox"/> Telephone <input type="checkbox"/> Video Conference			<input type="checkbox"/> Creditor(s) present: <input checked="" type="checkbox"/> None.
<input checked="" type="checkbox"/> Debtor Present	<input checked="" type="checkbox"/> ID & Soc. OK	<input type="checkbox"/> Debtor Absent	
<input type="checkbox"/> Joint Debtor Present	<input type="checkbox"/> ID & Soc. OK	<input type="checkbox"/> Joint Debtor Absent	
Debtor(s) was/were <input checked="" type="checkbox"/> Examined	<input type="checkbox"/> Not Examined under oath.		
Attorney for Debtor(s) <input checked="" type="checkbox"/> Present	<input type="checkbox"/> Not Present		
<input type="checkbox"/> Substitute attorney: <input type="checkbox"/> Pro-se.			

II. Attorneys Fees as per R 2016(b) Statement		Attorney of record: <u>JOSE PRIETO CARBALLO*</u>	
Total Agreed: <u>\$3,000.00</u>	Paid Pre-Petition: <u>\$426.00</u>	Outstanding: <u>\$2,574.00</u>	THROUGH THE PLAN

III. Trustee's will file Motion to Dismiss:	<input type="checkbox"/> For Failure to appear;	<input type="checkbox"/> For Failure to commence payments.
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IV. Trustee's Report on Confirmation & Status of §341 Meeting		
Debtor(s) Income is (are) <input type="checkbox"/> Under <input checked="" type="checkbox"/> Above Median Income.	Liquidation Value: <u>\$22,521</u>	
Commitment Period is <input type="checkbox"/> 36 <input checked="" type="checkbox"/> 60 months. [§1325(b)(1)(B)]	Gen. Unsecured Pool: <u>\$0</u>	
The Trustee <input type="checkbox"/> RECOMMENDS <input checked="" type="checkbox"/> OBJECTS <input type="checkbox"/> Plan confirmation.		
§341 Meeting <input type="checkbox"/> CONTINUED <input type="checkbox"/> NOT HELD <input type="checkbox"/> CLOSED <input checked="" type="checkbox"/> HELD OPEN FOR <u>30</u> DAYS		
§341 Meeting Rescheduled for: <u>pending form 480's for each of two employees in previous 4 years.</u>		

V. Trustee's OBJECTIONS to Confirmation:		
<input checked="" type="checkbox"/> FEASIBILITY [§1325(a)(6)]	<input checked="" type="checkbox"/> INSUFFICIENTLY FUNDED	<input type="checkbox"/> To pay §507 <input checked="" type="checkbox"/> Fails Creditor's Best Interest Test §1325(A)(4)
<input type="checkbox"/> FAILS DISPOSABLE INCOME REQUIREMENTS	<input type="checkbox"/> Failure to comply with Tax returns requirements. [§1308]	
<input type="checkbox"/> Failure to comply with DSO requirements	<input type="checkbox"/> Plan not filed in Good Faith §1325(a)(3)	<input type="checkbox"/> Unfair Discrimination §1322(a)(3)

ADDITIONAL OBJECTIONS / COMMENTS:

① Debtor will make another monthly installment, today and another before the confirmation hearing on September 9, 2010.

② The Trustee objects to fine 3(b) and calculation of current monthly income with net business payments, instead of gross, adjustment

/s/ José R. Carrión
Trustee

Presiding Officer

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ADDITIONAL OBJECTIONS / COMMENTS:

③ makes no consequence.
Plan must pay 100% + 6% and with
a base of \$26,500.00.


Trustee / Presiding Officer

Date:

8/18/2010